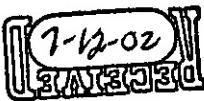


**Official**

#10  
7-15-02

PATENT  
Attorney's Docket No. 082225.P2813D3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Annette Wagner et al. )  
Serial No. 09/405,826 )  
Filed: September 24, 1999 )  
For: GRAPHICAL USER INTERFACE )  
FOR A PORTABLE TELEPHONE )

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

*Do Not Enter  
TMJ 11/21/02*

Dear Sir:

In response to the Final Office Action mailed May 8, 2002, Applicants respectfully request reconsideration in view of the following remarks.

REMARKS

Claims 35-49 and 53-56 were examined. No claims have been amended, added or canceled. Accordingly, claims 35-49 and 53-56 remain in the application.

**L      Claims Rejected Under 35 U.S.C. § 103(a)**

Claims 35-49 and 53-56 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,797,089 issued to Nguyen (hereinafter "Nguyen"), in view of U.S. Patent

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (310) 820-5988

## FACSIMILE COVER SHEET

**Official**Deliver to: Temica M. Davis, UPSTOArt Group: 2685Facsimile No.: (703) 872-9315Date: July 12, 2002From: Eric S. Hyman, Reg. No. 30,139Our Docket No.: 82225P2813D3Number of pages 10 including this sheet.Application No.: 09/405,826Filing Date: 9/24/1999

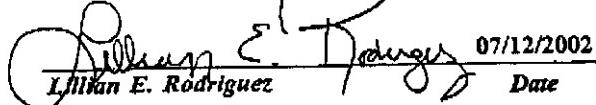
Enclosed are the following documents:

- Amendment: After Final
- Appeal Brief (in triplicate) ( \_\_\_\_ pgs)
- Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract
- Assignment & Cover Sheet ( \_\_\_\_ pgs)
- Certificate of Facsimile
- Continued Prosecution Application (CPA)
- Declaration & POA ( \_\_\_\_ pgs)
- Drawings: \_\_\_\_ sheets, \_\_\_\_ figures
- Extension of Time: \_\_\_\_\_
- Fee Transmittal (in duplicate)
- IDS & PTO/SB/08 ( \_\_\_\_ pgs)
- Other \_\_\_\_\_

- Issue Fee Transmittal
- Notice of Appeal
- Petition for: \_\_\_\_\_
- Request for Continued Examination (RCE)
- Reply Brief ( \_\_\_\_ pgs)
- Request & Certification Under 35 USC 122(b)(2)(B)(i)
- Request to Rescind Previous Nonpublication Request
- Response to Notice of Missing Parts & Formalities Letter
- Response to Written Opinion ( \_\_\_\_ pgs)
- Terminal Disclaimer
- Transmittal of Publication Fee Due
- Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Lillian E. Rodriguez 07/12/2002  
Date

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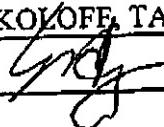
(to be used for all correspondence after initial filing)

		Application No.	09/405,826
		Filing Date	September 24, 1999
		First Named Inventor	Annette Wagner
		Group Art Unit	2685
		Examiner Name	Temica M. Davis
Total Number of Pages in This Submission	10	Attorney Docket Number	8222SP2813D3

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Facsimile Cover Sheet
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

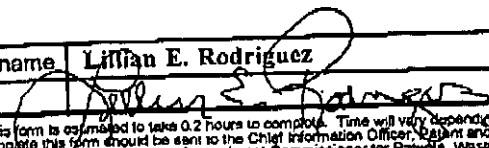
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Eric S. Hyman, Reg. No. 30,139  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 12, 2002

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